

DDI-122-825

Date
4 Jan 81

ROUTING AND TRANSMITTAL SLIP

TO: (Name, office symbol, room number, building, Agency/Post)	Executive Registry	Initials	Date
1. SA/DDCI FOR DDCI, 7 D 60, Hq	82-0063		1/11
2.			
3.			
4.			
5.			

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	X For Your Information	See Me
X Comment	Investigate	Signature
Coordination	Justify	

REMARKS Doug,

OGC, [] recommends DDCI be informed of attached action, in connection with his involvement w/E012333.

We are seeking to have the Nat'l. Mil. Disclosure Policy revised to describe more accurately DCI's authority in foreign disclosure. [] recom-
mended we peg it to DCI responsibilities under para 1.5(e) of the EO, which we did.

[] recommends invoking SecDef's responsibilities under 1.11(i) as well, in that these are tied to DCI policies. We will have opportunity to do so when issue is discussed 21 Jan at NDPC. We will ask OGC to send rep to back us up.

Any DDCI comment/guidance? []

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions.

FROM: (Name, org. symbol, Agency/Post)

NFAC/CRES/IC []

Room No.—Bldg.

3 E 63

Phone []

5041-102

OPTIONAL FORM 41 (REV. 7-76)
Prescribed by GSA
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INSTRUCTIONS APPLY

L-273

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FURTHER CHANGES TO NATIONAL MIL. INFO. DISCLOSURE POLICY (U)

FROM:

NFAC Collection Requirements &
Evaluation Staff
3 E 65, Hq

EXTENSION

NO.

STAT

STAT

DATE

30 Dec 81

TO: (Officer designation, room number, and
building)

DATE

OFFICER'S
INITIALSCOMMENTS (Number each comment to show from whom
to whom. Draw a line across column after each comment.)1. PCS [redacted]
2 D 55

2.

3. SA/DDS&T
4 E 46
6

4.

5. OGC [redacted]
7 D 19

6.

7. C/NFAC/CRES
3 E 63

8.

9.

10.

11.

12.

13.

14.

15.

You are requested to review the attached, proposed changes to the National Military Information Disclosure Policy and, by COB Thursday, 14 January, to advise us of any comments you might have.

If we have have not heard from you by the deadline, we will assume you object to neither proposal.

FYI, the CIA response is based on an OGC input.



STAT

FORM
3-62

610

USE PREVIOUS
EDITIONS☐ SECRET☐ CONFIDENTIAL☐ INTERNAL
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WASHINGTON D.C. 20381

NATIONAL MILITARY INFORMATION DISCLOSURE
POLICY COMMITTEE (NDPC)

23 December 1981

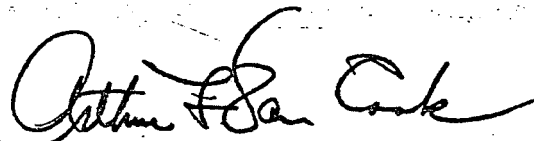
MEMORANDUM FOR THE MEMBERS, NDPC

SUBJECT: Proposed Change to NDP-1

- References:
- a. Chairman's memorandum, dated 23 November 1981,
Subject: Annual Review of the National Disclosure
Policy (NDP-1) (NDPC Case NO. 1014-81)
 - b. NDPC Record of Action, RA-133/81, dated 15 December
1981

By reference a., I distributed proposed changes to NDP-1 which were submitted by the NDPC member agencies. These proposals were discussed and decided at the NDPC meeting on 10 December 1981. Accordingly, I issued a Record of Action (reference b.) which made these changes. Subsequently, I received the enclosed memorandums from the Navy and CIA Members wherein they suggest additional changes to NDP-1.

Request that your agency review the proposed changes. These proposals are to be discussed and decided at the NDPC meeting tentatively scheduled for 21 January 1982. Members must ensure that their vote on these proposals represents a coordinated agency position.



Arthur F. Van Cook
Chairman

Enclosures
a/s



IN REPLY REFER TO
Ser 621D/422613

DEC 21 1981

MEMORANDUM FOR THE CHAIRMAN, NATIONAL MILITARY INFORMATION
DISCLOSURE POLICY COMMITTEE (NDPC)

Subj: Request to Include Item on Agenda of January 1982 NDPC
Meeting: Modification to Category 2 Language

Encl: (1) CINCPACFLT's Proposed Changes to Category 2 Language

1. It is requested that the NDPC consider a proposal by CINCPACFLT to modify the description of Category 2 from "Military Materiel and Munitions" to "Defense Articles and Services." This change would appear in the NDP Chart and in the description of information categories (see enclosure (1)).
2. If this change is made, it would necessitate that other changes be made throughout NDP-1 to reflect "defense articles and services" wherever reference is made to military materiel, hardware, munitions, weapon systems, military equipment or similar terms.
3. The rationale for this modification is as follows:

Proposed change employs specific terms derived from Section 47 (Definitions) of the Arms Export Control Act (AECA) (22 USC 2341). Under Section 47(3): term "Defense Article" is defined inter alia to include:

"a. Any weapon, weapons system, munition, aircraft, vessel, boat, or other implement of war.

"b. Any property, installation, commodity, material, equipment, supply, or goods used for the purposes of making military sales.

"c. Any machinery, facility, tool, material, supply, or other item necessary for the manufacture, production processing, repair, servicing, storage, construction, transportation, operation, or use of any article listed in this paragraph; and

"d. Any component or part of any article listed in this paragraph."

Section 47(4) of the AECA further defines "Defense Service" to include:

"...any service, test, inspection, repair, training, publication, technical or other assistance, or defense information...used for the purposes of making military sales..."

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Ser 621D/422613

DEC 21 1981

CINCPACFLT believes that the existing language of Category 2 appears designed to address information related to those defense articles and services which are potentially subject to transfer to eligible foreign governments and international organizations under applicable U.S. laws and regulations. NDP Category 2 should use the existing legal term found in the principal transfer authority for U.S. defense articles and services; i.e., the Arms Export Control Act (AECA). Moreover, existing language in Category 2, in failing to use term "Defense Service" fails to delineate the intended scope of this particular category.

4. This matter was not submitted to the NDPC previously because it was received after the established deadline and it was necessary to coordinate with various OSD offices and the Navy Judge Advocate General. It is requested that the Chairman include this matter on the agenda for the January 1982 NDPC meeting for consideration by the membership.



N. A. HENSLEY

Navy Member

National Military Information
Disclosure Policy Committee